



MICHAEL A. BENJAMIN  
79<sup>TH</sup> Assembly District  
Bronx County

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

COMMITTEES  
Children and Families  
Corrections  
Election Law  
Governmental Operations  
Libraries and Education Technology

□ DISTRICT OFFICE:  
540 East 169<sup>TH</sup> Street  
Bronx, New York 10456  
(718) 588-3119  
Fax: (718) 588-3317

□ ALBANY OFFICE:  
Room 548  
Legislative Office Building  
Albany, New York 12248  
(518) 455-5272  
Fax: (518) 455-5925

July 7, 2004

Michael K. Powell  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**MB Docket No. 04-207**

Dear Chairman Powell:

I am writing to express concern about the Congressional proposal of an "a la carte" alternative to the current cable system. Its enactment would undermine the progress our country has made in diversifying its television programming.

For far too long, minority groups had little programming that portrayed their communities in a positive light or programming that reflected their life experiences. The recent increases in cable channel capacity have added channels that now more adequately reflect the diversity of America.

These new channels have been able to thrive because of how cable operators introduce them into their program line-up. When a new channel is introduced, it is usually placed in a bundle with existing popular channels, which allows viewers the opportunity to try out the new channel. In an "a la carte world," where viewers pay separately for each channel, they are unlikely to spend their money on a new channel they know little about.

Thus, under an "a la carte system," channels that appeal to more distinct audiences, particularly ethnic, foreign-language and niche programming, such as BET, Telemundo, TV One, ESPN Deportes, C-SPAN and The Learning Channel, would have trouble attracting a substantial number of subscribers. Without an adequate number of subscriptions, revenue would decline, the cost of subscription would increase and specialty channels would consequently be put out of business.

I urge you not to support the enactment of an "a la carte" system.

Sincerely,

Michael A. Benjamin  
Member of Assembly